



Chapter 8- Public Improvement Plans

I. Public Construction for New Development

II. Right-of-Way Permits

III. Façade Improvement Program

I. Public Construction for New Development

Purpose

Public improvements for the City of Wichita are located in City Right-of-Way and include water lines, sanitary sewers, storm water projects, pavement projects, traffic signals, and in special instances, building façades.

Public Projects/ Special Assessments

Public improvements for new subdivisions or in-fill projects in developed areas are usually funded by special assessment. There are some projects that serve new subdivisions or developed areas not funded by special assessments. An example would be “hot spot” drainage projects. To initiate a project, a valid petition must be filed with the City. If the area is a new subdivision or new plat, typically, the platting engineer prepares the petitions and the improvement plans and submits them to the City. An existing neighborhood may request a petition from the City Engineer’s Office. In addition the City Council may choose to order in a project without a valid petition.

For a petition to be valid, it must be signed by over 50% land owners of the total land area within the improvement district, or by over 50% of the number of resident owners within the improvement district. If all or a portion of an improvement district is outside the City limits that portion must be valid by both area and owners.

Petitions signed by 100% of the landowners are processed and placed on the City Council agenda. If the petition is signed by less than 100% (but over 50%) of the owners, the petition must first go to the appropriate District Advisory Board (DAB) for a public hearing. The DAB then forwards its recommendation to the City Council. DABs meets on a monthly basis.

Once the petition is approved, if the area is not developed, the petition will be put on hold until a letter of credit is posted for the project or until the area is 35% developed. A letter of

Process Improvement Points

Improvements for commercial sites are usually built by private project while improvements for new subdivisions are built by petition, or public project.

A resident owner is someone who lives within Wichita City limits.

credit is a financial commitment made by a commercial bank on behalf of a developer to satisfy the City's requirement that a financial guarantee be submitted to begin the design-build phase of a special assessment funded project for a new development.

Typically, the platting engineer draws up the plans and submits them to the City. If the petitioned project does not require a new plat, the City may hire an engineering firm to do the plans. Once final plans and the letter of credit (if applicable) have been received, the City Engineer's Office will distribute the plans and take formal bids on the project. Bids may be viewed on the Internet at www.wichita.gov at the e-Procurement site. The City takes bids on Friday mornings.

Once the project is complete, the City sells bonds to cover the cost of the project. The engineering and construction costs are then assessed to the property as a special tax, amortized over 15 years, at the interest rate the bonds are sold for. The City sells bonds for special assessment projects twice a year in mid summer and mid winter.

There is a deferral program available for property owners that fall within certain income guidelines that allows the property owner to defer payment of special assessments until they either no longer qualify or a change of ownership takes place. This deferral program also applies to agricultural lands.

The City Council has approved offering 20-year special assessment financing - on a case by case basis in special situations - to 1) residential developments with extraordinary development costs and 2) existing Wichita residential neighborhoods without municipal services (sewer, water, storm sewers, paving).

The purpose of this program is to keep special assessment financing from creating a financial burden for buyers who purchase homes in developments that have incurred higher than typical development costs due to extraordinary development situations. For more information, visit www.wichita.gov/business/developwichita or contact the Development Assistance Center at 268-4371.

Process Improvement Points

All owners of a property (i.e. both husband and wife or multiple partners) must sign the petition.

The City provides the inspection for public projects during construction. Therefore, no permit fees are required.

II. Right-of-Way (ROW) Permits

Purpose

This section will help applicants understand the process of applying for Right-of-Way permits from the City of Wichita. Included is information about permit applications, review and fees and other information necessary to obtain permits.

What Requires a Right-of-Way Permit?

A right-of-way permit is required any time a contractor, utility, plumber, homeowner or others are working in public right-of-way without benefit of a city right-of-way inspector. This does include Engineering Private Projects. Right-of-way permits are

obtained from the Engineering Division of the Department of Public Works.

Permit Exceptions

A right-of-way permit is not required for City projects using a maintenance bond. A city inspector ensures that right-of-way is restored or enhanced according to city specifications. Included are public improvement, subdivision and capital improvement projects. A permit is not required when a homeowner or their contractor is performing minor landscaping on the right-of-way such as leveling the dirt and sodding or seeding.

Types of Right-of-Way Permits

Excavation Permits

Required for any excavations in city right-of-way.

1. **Pavement cut permits** - Required any time a contractor, utility, plumber or other cuts paved right-of-way. The contractor making the cut makes a temporary patch and releases the permit to the City. Permanent pavement repairs are done by the City's contractor with the costs reimbursed to the City by the individual requesting the permit. The permit cost is \$70 and available in PW/Engineering. Surcharges are assessed on streets where the permanent surfacing is less than five years old. The permit surcharge fee is five percent of the total permit fee for each non-elapsed month of the five-year restricted period. Engineering maintains a list of streets on which the permanent surfacing is less than five years old.

Process Improvement Points

The City's contractor has 20 working days after acceptance by the City to make the permanent repair. The excavation contractor is responsible for the maintenance of traffic control until the City's contractor makes the permanent repair.

2. **Dirt cut permits** – Required any time a contractor, utility, plumber or other cuts unpaved right-of-way. The cost is \$35 but is waived for Engineering Private Projects. A no-charge permit is still required.

Construction Permits

Required for any construction on City right-of-way. Only licensed cement contractors are allowed to obtain these permits.

1. Curb, curb cuts, gutter, flumes and wheelchair ramps. The cost is \$70 per address.
2. Sidewalk permits. The cost is \$35 for 0 to 20 lineal feet and \$60 for over 20 lineal feet.

Use of Street Permits

Required for temporary private use of right-of-way for projects such as dumpsters, cranes, etc. Traffic signing and barricading must be reviewed by Traffic Engineering. The cost is \$40 plus .007 cent per square foot per day.

Minor Street Privilege Permits

Required for long-term private use of right-of-way for projects such as sprinkler systems, paved parking, private conduit, steps, flag poles, tunnels, etc. Requires approval from the City Engineer and a Certificate of Insurance adding the City of Wichita as an additional insured onto the owner's policy. The cost is \$70 plus an annual fee based on type of use, location and size. No annual fee is required for sprinkler systems.

Process Improvement Points

Persons wishing to be licensed for concrete construction will be required to take and pass a test in the Engineering Division (\$50 per test), provide an original signed \$5,000 surety bond and obtain a concrete stamp which is a metal tool that leaves an impression in the concrete that lists the contractor's name and construction year.

If you have traffic control questions, call 316-268-4598 and a Traffic Engineering employee will assist you.

Use of Street Permit and Minor Street Privilege Permit applicants must own abutting private property.

A Minor Street Privilege application can be obtained by calling 316-268-4418.

III. Façade Improvement Program

Summary

The Façade Improvement Program is designed to enhance the visual aesthetics of the downtown area and provide an incentive for small businesses to invest in their property. Low cost loan financing combined with a forgiveness provision for a portion of the loan makes an attractive financing package for owners or tenants seeking to renovate or restore building facades.

The Façade Improvement Program

The program provides low cost financing (as low as 4.5% based on market conditions) over a fifteen-year period to renovate or restore a visible facade on Douglas Avenue. For non high-rise buildings, the City assistance also includes a five-year forgivable loan up to 25% of the project cost, if the owner maintains the facade. The maximum City of Wichita assistance (forgivable loan) is \$15,000 (or 25% of the total project cost, whichever is lower) for one facade. Up to \$30,000 (or 25% of total project costs, whichever is lower) is available for a corner building with two visible facades on Douglas Avenue. The owner finances the remaining 75% of the facade improvement through a fifteen-year special assessment against the real property. The property owner must sign the special assessment petition and the facade easement conveying the facade to the City of Wichita during the term of the special assessment financing. When the loan is repaid, the facade easement will be released.

High Rise Building Requirements

The high-rise facility must be more than three stories in height. The project must include significant private investment (other

than the Façade loan) in an amount equal to or greater than the amount financed through the Façade Improvement Program within 12 months of the date the Façade loan is approved. Assistance beyond two sides of the building may be approved if circumstances warrant. All work must be accomplished using private contractors through competitive bidding from at least three qualified companies pre-approved by the City of Wichita.

Applying for Financing

Any builder owner or tenant with lease authority and approval of the owner may apply for funding. The building must be located on Douglas Avenue between Washington Avenue and Seneca Street (see map). Owners cannot be delinquent on any current City charges, taxes or assessments or defaulted on any previous City assistance.

Target Area

Buildings with frontages on Douglas Avenue from Washington Avenue on the east to Seneca Street on the west are eligible.

Eligible Improvements

Permanent exterior improvements, including:

- Masonry repairs and tuckpointing
- Repair/replace/preserve historically significant architectural details
- Storefront reconstruction back to original basis
- Cornice repair
- Power washing
- Exterior painting and stucco
- Awnings and canopies

- Window and door repair or replacement;
- Permanent exterior signage integrated into the storefront design
- Exterior lighting
- Repair/replacement of gutters and down spouts
- Facade building code items;
- Visible roof repairs in conjunction with structural improvements;
- Public art
- Utility/trash enclosures
- Planter boxes
- Street furniture
- Litter bins
- Sidewalks
- Decorative fencing
- Decking and stairs
- Architectural, engineering or design fees

Items Not Eligible

Generally, the following items are not eligible:

- Landscaping
- Non-visible roofing
- Attached, hanging or projecting signs unrelated to the architecture of the building
- Mechanical equipment enclosures (non-visible)
- Parking lots
- Billboards
- Interior renovation
- Temporary, portable or non-permanent improvements
- Non-visible or side (unless on a street) and rear facades
- New construction
- Property acquisition

- Expansion of building area
- Conversion of use
- Working capital
- Refinance of existing debt
- Improvements in progress or completed prior to loan/grant approval
- Loans for speculative purposes

Design Guidelines

All Facade Improvement Program projects must be reviewed and receive approval by a joint committee comprised of representatives of the Historic Preservation Board and the City Design Council prior to approval of the loan or issuance of a building permit. Where historic structures are involved, review by the Historic Preservation Board is required prior to start of construction. This includes properties located within the Old Town Historic District, the East Douglas Historic District and any property within 500 feet of a listed historic property (environs). All construction must comply with City code. All construction must conform to the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG).

Other Requirements

- Requires competitive bidding for facade renovation work.
- Requires the use of professional design assistance.
- Project must result in visible improvement of overall facade (e.g. not just sign replacement).
- Borrower agrees to maintain the facade for a minimum of fifteen years.
- The program will only be offered for five years.
- Loans will be offered on a one-time basis unless a phased project receives prior approval.

- Owner shall convey a fifteen (15) year facade easement to the City of Wichita before the start of construction.
- All approved projects must be completed within six months of approval of the application.

Where to Apply

Applications are available in the Department of Public Works, Engineering Office, 7th Floor, City Hall, 455 North Main. The contact person is Bill Morris, Administrative Services, (316) 268-4548, wmorris@wichita.gov. Application forms are also available online at the City of Wichita web site: www.wichita.gov.

Process Steps

Step 1- Staff Meeting

Meet with appropriate City staff to review your preliminary design, expected time lines and further steps. This may include the Department of Public Works, Office of Central Inspection and/or the Metropolitan Area Planning Department.

Step 2- Finalize Plans

Finalize your renovation plans. This step should include consultation with an architect or engineer to discuss improvements and alterations to the building exterior.

Step 3- Cost Estimate

Obtain a complete preliminary cost estimate from a licensed contractor, which covers the work to be accomplished.

Step 4- Submit Application

Submit a completed Facade Improvement Program application form to: Bill Morris, Administrative Services, Department of Public Works, 7th Floor, City Hall, 455 North Main, Wichita, Kansas 67202. Submit a completed Facade Easement form with application.

Step 5- Review

City formally reviews the application. Approval of the City Design Council (required), Historic Preservation Board (as appropriate), Department of Finance (required) and City Council (Required).

Process Improvement Points

Contact Bill Morris (268-4548) early in the process to discuss your project.

Contact Kathy Morgan, Historic Preservation Planner (268-4392) to determine if the project is in a Historic District.

Your contractor should contact the Office of Central Inspection to obtain necessary building permits.

Attach contractor invoices to your request for payment.

Step 6- Notification

Public Works notifies the applicant of approval and any pertinent requirements. The applicant has six months (180) days from the date of application approval to complete the project. If there is no activity during this time, your application approval will expire and any City funding will be released for other applications.

Step 7- Bidding

Initiate competitive bidding for facade work. Obtain building permit and planning permits (as applicable). Submit copies of permit and competitive bidding. Applicant commences improvements.

Step 8- Progress Payment

Applicant submits construction progress payment to the Department of Public Works. If the progress payment is approved, the City will pay the progress payment to the applicant within 20 days of approval.

Step 9- Proof of Final Expenses

Applicant submits proof of final expenses to the Department of Public Works. Public Works processes applicant final reimbursement and issues a Statement of Final Project Cost.

Step 10- Property Tax Statements

Special Assessment payments will appear on the Sedgwick County Property Tax Statements starting with the next tax statement (next year).

Other Companion Programs

Tax Rebate Program Department of Finance
455 North Main
Wichita, Kansas 67202
(316)268-4524
Lisa Jones, Industrial Analyst
ljones@wichita.gov

State and Federal
Rehabilitation Tax Credits Kansas State Historical Society
6425 SW Sixth Avenue
Topeka, Kansas 66615-1099
Katrina Klingaman
(785)272-8681 ext. 226
kklingaman@kshs.org

Process Improvement Points

CITY OF WICHITA

PUBLIC IMPROVEMENT REVIEW PROCESS FOR NEW DEVELOPMENT

Petition Process

